

In The United States District Court
For The Eastern District of Texas
Beaumont Division

Plaintiffs Request That The Court Order Service
OF Summons and Complaint ON Defendants

John Mark Whatley §

Travis James Carpenter

Derrick Wayne Holloway §

1:21-cv-549

J

Zena Stephens, et. al §

1) If requested by the plaintiff, the court may order service by a U.S marshal or a specially appointed person. FRCP 4(c)(3); Combs v. Nick Garin Trucking, 825 F.2d 437, 443 n.47 (D.C. Cir. 1987). Compare Nagy v. Dwyer, 507 F.3d 161, 163 (2d Cir. 2007) (without request from indigent P, court was not required to appoint U.S. marshal)

2) Plaintiffs have showed due diligence by mailing Rule 4-Notice of a Lawsuit and Request to Waive Service of Summons FRCP (4), (1), (2) by U.S. Postal Service

A) to Zena Stephens on November 15th, 2021, JCSO. 1085 Pearl Street BHMT TX. 77701

B) to Senior Capt. Minter, Lt. Ford, Lt. Nabors on November 22nd, 2021, JCCF, 5030 Hwy 69, South BHMT Texas 77705

c) to Keefe Group LLC on November 22nd 2021, atten. CEO
Keefe Group 10880 Lintpage Saint Louis, MO 63132
d) to: Chief J. Shauberger J.C.S., J.CEF. 5038 Hwy
69, South BMT Texas 77705 mailed December 13th 2021
all served by U.S. Postal Mail Postage Pre Paid.

3) We plaintiffs are subjected to a severe disadvantage in that we do not know if, or when our summons are being answered. We are currently incarcerated & are being refused all of our request for copies of our grievances via electronically filed Kibsh (Smartjailmail.com) system.

Even though we've exhausted all avenues Rank & Officers (chain of command). We're told an attorney has to request them. I responded in saying pro se / unrepresented, aside from ourselves. We then explained the situation of the court requesting all of our evidence for a federal civil suit. I explained to them the situation clearly & asked "How can you refuse me copies of my grievances? They said once they are submitted they are no longer mine, & if the courts want them they will have to serve a subpoena!

Respectfully Submitted

John Mark Whetley #199743
J.CEF.

5038 Hwy 69, South
Beaumont TX, 77705

Declaration Under Penalty of Perjury

I declare under penalty of perjury that I am the plaintiff. I have read the motion and the information in this motion is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

12/10/21

John Mark Whatley # 199743
J.C.F.

5535 Hwy 69 South
Beaumont Texas 77705

To: U.S. District Clerk
300 Willow, Room 104
Beaumont, Texas 77701

12/20/21

RE: Whatley et al v Stephens 1:21cv549

Dear Clerk

Please find enclosed Plaintiff's Request for Court Order Service of Summons and Complaint on Defendants and please file this motion into the Courts record at your convenience.

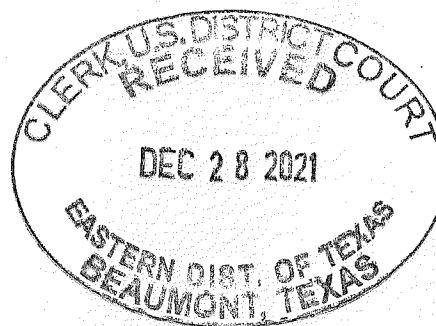
Thanks and could you please forward a copy of docket sheet to Derrick Holloway, he has enclosed a SASE.

Thank You

Sincerely #199713
John Mark Whatley
JCCF
5030 Hwy 69 South
Beaumont Tx. 77705

Derrick Holbway 346230
5030 Hwy 69 South
Bmt Tex 77705

NORTH HOUSTON TX 773



"Legal"

77701-221728

U.S. District clerk
300 Willow Room 104
Beaumont, TX 77701